

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

STEVE BULLOCK, in his official
capacity as Governor of Montana;
MONTANA DEPARTMENT OF
NATURAL RESOURCES AND
CONSERVATION,

Plaintiffs,

vs.

BUREAU OF LAND
MANAGEMENT; WILLIAM
PENDLEY, in his official capacity as the
person exercising the authority of the
Director of the Bureau of Land
Management; UNITED STATES
DEPARTMENT OF THE
INTERIOR; DAVID BERNHARDT,
in his official capacity as Secretary of the
Department of the Interior,

Defendants.

Case No. 20-cv-00062

The Honorable Brian Morris,
Chief Judge

**PLAINTIFFS' EXPEDITED MOTION
FOR SUMMARY JUDGMENT**

The plaintiffs Governor Steve Bullock and the Montana Department of Natural Resources and Conservation hereby move for summary judgment on all claims in their complaint. This motion is supported by the arguments in the plaintiffs' brief in support of their motion for summary judgment, as well as the declarations filed with that brief, all of which will be filed concurrently with this motion.

Although the defendants have been served with the complaint, counsel for the defendants have not yet entered an appearance in this action. The plaintiffs have therefore not consulted with the defendants about this motion, as contemplated by Local Rule 7.1(c)(1). Nonetheless, the plaintiffs have served this motion on the Department of Justice to ensure that the defendants are apprised of its filing.

For the reasons stated in the supporting brief, the plaintiffs ask this Court to issue an order and judgment declaring William Perry Pendley's continued service as acting director of the Bureau of Land Management to be unconstitutional; enjoining him from taking any further action over Montana in that unlawful role; awarding the plaintiffs their costs, attorneys fees, and other disbursements for this action; and granting any other relief this Court deems appropriate.

In addition, as explained in the declarations filed in support of this motion, William Perry Pendley's continued service has caused and continues to cause the State of Montana ongoing harm. The plaintiffs therefore request that this Court expedite briefing and review of this motion and have included a proposed order with the requested expedited briefing schedule.

Respectfully submitted,

/s/ Deepak Gupta

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** pro hac vice* pending

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Counsel for Plaintiffs